

P.S – APCAS (Ex. Br) Rules – Irregularities committed by certain District Supply Officers, and staff of Prakasam District in misutilization of food grains and transportation of levy rice on altered permits – Disciplinary action initiated against Sri G.V Subramanyam, former Superintendent, O/o District Supply Officer, Prakasam District – Charges held proved Imposing punishment of 10% cut in pension permanently –Orders – Issued.

**REVENUE (VIGILANCE-III) DEPARTMENT**

**Dated: 02 -9-2010**

**Read the following:-**

1. From the District Vigilance & Enforcement Officer, Lr.No. 28/V&E-NLR 94, Dt: 12-7-1994 & 31-7-1994.
2. Govt. Memo No. 63497/Ser.V/1994, Dated: 10-8-1998.
3. From Sri. G.V Subramanyam, Written statement of defence dt: 2-11-1998.
4. G.O. Rt. No. 1885, Rev (Vig.III) Dept., dt: 22-11-2004.
5. From Dr. S. Prasantha Mahapatra, I.A.S, CoI, inquiry report dt: 8-9- 2005.
6. Govt. Memo No. 6135/Vig.III (1)/01-12, Dt: 15-5-2007.
7. From Sri. G.V Subramanyam, explanation, dt: 10-6-2007.
8. From the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, Orders in O.A No. 1974/2008 dt: 11-9-2008
9. From the Hon'ble High Court of Andhra Pradesh, Orders in W.P. No.28550/2008, dt: 25-6-2009
10. From Sri G.V Subramaniam, further explanation dt:8-7-2009
11. From the Chief Commissioner of Land Administration, AP., Hyderabad Lr. No. VS I (1)/53/006, Dt: 18-11-2009.
12. Govt. letter No. 6135/Vig.III (1)/2001-32, Dated: 30-1-2010
14. From the Secretary, APPSC, Hyderabad Lr.No.408/RT-I/3/10, Dt: 16-4-2010
15. From the Secretary, APPSC, Hyderabad Lr. No.408/RT-I/3/10, Dt:5-6-2010

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Whereas, it has been brought to the notice of the Government that on certain irregularities with regard to the issuance of permits by the officials of Civil Supplies Department of Prakasam district, the officials of Vigilance and Enforcement inspected the check posts at Bheemunivaripalem and Naraharipet in July 1994 and seized copies of 1,110 permits used by the millers of Prakasam district for exporting rice to Tamilnadu, Karnataka, Kerala and Pondicherry States from April 1994 to June 1994. Correction of destination was found in 434 permits. Accordingly, the Vigilance & Enforcement Department also inquired about leakages in regulation of the rice market in Prakasam district and observed that the unauthorized alterations in rice permits by certain officials of Civil Supplies Department have taken place. The District Vigilance & Enforcement Officer, Nellore submitted two reports in the ref. 1<sup>st</sup> read above.

2. Based on the above said reports, charges were framed in the ref. 2<sup>nd</sup> read above against all the said officials inclusive of Sri G.V. Subramanyam former Superintendent, O/o District Supply Officer, Prakasam District duly calling for his explanation.

3. Sri G.V . Subramanyam former Superintendent, O/o District Supply Officer, Prakasam District has submitted his written statement of defence in the ref. 3<sup>rd</sup> read above denying the charge and requested the Government to drop further action against him. Since the explanation of the charged officer is not convincing, Government in the G.O.4<sup>th</sup> have appointed Dr. Prasanta Mahapatra I.A.S, Member , Commissionerate of Inquiries , General Administration (CoI) Department, as inquiry authority to conduct common inquiry against all the charged officers including Sri K. Subramanyam former Superintendent, O/o District Supply Officer, Prakasam District..

4. The Inquiry authority has conducted inquiry into the article of charges framed against Sri K. Subramanyam former Superintendent, O/o District Supply Officer, Prakasam District and submitted his enquiry report in the ref. 5<sup>th</sup> cited stating that Sri G.V. Subramanyam, former Superintendent, O/o District Supply Officer, Prakasam District fraudulently attested changes in destination on levy-free-rice permits and arrogated to himself powers beyond his authority is well substantiated.

5. In the ref. 6<sup>th</sup> read above, a show cause notice under APRP Rules, 1980 was issued to Sri G.V Subramanyam, former Superintendent, O/o District Supply Officer, Prakasam District (now retired) informing the provisional decision of 25% cut in pension permanently on him for the charge substantiated against him.
6. Sri G.V Subramanyam, former Superintendent, O/o District Supply Officer, Prakasam District (now retired) in the ref. 7<sup>th</sup> read above has submitted his explanation to the show cause notice issued to him and requested the Government to drop further action against him. The individual has also filed O.A No. 1974/2008 challenging the provisional decision of the Govt. The Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad vide their orders 8<sup>th</sup> read above have allowed the O.A and directed the respondents to release the pension and other pensionary benefits forthwith.
7. Aggrieved by the orders of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in the ref. 8<sup>th</sup> read above, Govt. have filed a W.P No. 28550/2008 in the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court of Andhra Pradesh vide their order in the ref. 9<sup>th</sup> read above have directed that the respondent is permitted to submit a fresh explanation in addition to the earlier explanation submitted on 10-6-2007, within a period of one week from the date of receipt of a copy of this order. On such explanation being submitted, the Government is directed to consider the same and pass appropriate orders in accordance with law dealing with all the contentions raised by the respondent in his explanation, within a period of four weeks thereafter.
8. Accordingly, Sri. G.V. Subramanyam, former Superintendent, O/o District Supply officer, Prakasam district has submitted his further explanation in the ref. 10<sup>th</sup> read above, stating that the charge memo it self is not in accordance with the Andhra Pradesh Civil Services CC&A Rules, 1991, hence the entire proceedings are vitiated. He also submitted that a similar practice of authorizing permit alterations by the Superintendent without approval of the District Supply Officer was there in the office before he joined. He also pleaded that right from the 1994 till now, his case was not settled and the delay in protracting the disciplinary proceedings wholly lies with the authorities and he cannot be penalized for the delay. The Charged officer therefore, requested the Government to drop further action against him. The contention of Sri G. V Subramanyam is not correct and if he is not satisfied with the charge memo he ought to have brought it to the notice of the inquiry authority. Further the charged officer cannot take shelter by stating that the alterations of permits without approval of the District Supply Officer are a practice before he joined the service. Being a responsible Government servant, he has to bind to the rules and regulations attached to his post.
9. Government after careful examination of the matter in consultation with the Andhra Pradesh Public Service Commission and in exercise of the powers conferred under Rule 9 of APRP Rules, 1980, hereby modify the provisional decision of imposing a penalty of a 25% cut pension permanently to that of imposing 10% cut in pension permanently against Sri. G.V. Subramanyam, former Superintendent, O/o District Supply officer, Prakasam district.
10. The Chief Commissioner of Land Administration, A.P., Hyderabad shall take further action accordingly. The Provident Fund and Performa particular received in ref 11<sup>th</sup> cited are herewith returned.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Chief Commissioner of Land Administration,  
A.P., Hyderabad. (we)  
Sri G.V Subramanyam, former Supdt, O/o District Supply Officer,  
Prakasam Dist. (now Rtd) (Through the CCLA, AP, Hyderabad)  
The Collector, Prakasam Dist.  
Copy to:  
The Accountant General (A&E), A.P., Hyderabad.  
The Secretary to Vigilance Commissioner,  
APVC, Hyderabad.  
The Secretary, APPSC, Hyderabad.  
The Director General, G.A (V&E) Dept., Hyderabad.  
SC/SF.

//FORWARDED BY ORDER//

SECTION OFFICER